COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: APRIL 01, 2020

FILE NO.: 020-04100-0250-058

C: ASSAULT UPON PEACE OFFICER CAUSING GREAT BODILY INJURY, 245(C) PC, FORCE USED (SUSPECT DECEASED)

ACTION: ACTIVE / CRIME SCENE INVESTIGATION / EVIDENCE COLLECTED / WITNESSES INTERVIEWED

V1: DEPUTY [redacted] FH/[redacted]
LOS ANGELES COUNTY DEPUTY SHERIFF, EMPLOYEE #[redacted]
(INJURED)

CORONER CASE#: 2020-02301

V2: DEPUTY [redacted] MH/[redacted]
LOS ANGELES COUNTY DEPUTY SHERIFF, EMPLOYEE #[redacted]
(INJURED)

V3: DEPUTY [redacted] MH/[redacted]
LOD ANGELES COUNTY DEPUTY SHERIFF, EMPLOYEE #[redacted]
(INJURED)

V4: DEPUTY DANNY GALVEZ MH/[redacted]
LOS ANGELES COUNTY DEPUTY SHERIFF, MPLOYEE #[redacted]
(INJURED)

D: MARCH 16, 2020, (MONDAY), APPROXIMATELY 1539 HOURS

L: [redacted] EAST 58TH STREET, MAYWOOD, CALIFORNIA, 90270

S1: BRICENO, ERIC ESTEBAN MH/39
DOB: 10-16-1980 (DECEASED)

****



WITNESSES:

W: [redacted] MH/73

W: [redacted] FH/70

W: SERGEANT JOSEPH BERNAS, MH/[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]

W: DEPUTY ERIC CHINARIAN, MW/[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]

W: DPUTY MANAN BUTT, MW/[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]

W: DEPUTY ANDREW MAGALLANES, MH/[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]

W: DEPUTY [redacted] MH/[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]

W: DEPUTY JOSE LOPEZ, MH/[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]

W: DEPUTY ROLANDO CORRALES, MH/[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]

****

The below listed evidence was photographed and documented by Forensic Identification Specialist Jordan Swartz #[redacted] of the Latent Prints Section of the Los Angeles County Sheriff's Department Crime Lab.



MARKER: 1999 Ford Explorer, 4-Door, green in color, bearing CA license [redacted] parked facing north in the driveway of [redacted] East 58th Street, Maywood.

EVIDENCE HELD:

Item#14-A: Cellphone, LG brand, model LM-X220MB, IMEI # [redacted] with gray cover, recovered from the interior of Suspect Eric Briceno's 1999 Ford Explorer, green in color, bearing CA license [redacted]

Item #14-B: Cellphone, UMX brand, model U683CL, serial # [redacted] with black cover and cracked screen, recovered from the interior of Suspect Eric Briceno's 1999 Ford Explorer, green in color, bearing CA license [redacted]

Item #14-C: Cellphone, Samsung brand, model SM-J327P, DEC # [redacted] with clear screen, recovered from the interior of Suspect Eric Briceno's 1999 Ford Explorer, green in color, bearing CA license [redacted]

Item #14D: Cellphone, Apple brand, iPhone, unknown model number, unknown IMEI number, with pink cover and cracked screen recovered from the interior of Suspect Eric Briceno's 1999 Ford Explorer, green in color, bearing CA license [redacted].

Item #15: Glass smoking pipe, smoke stained, with a white powdery residue resembling methamphetamine, recovered from Suspect Eric Briceno's pants pocket.

Item # 16: Fired Taser cartridge, serial number X49200P6P, and serial number X49200R0N, recovered from Taser 7 #22, serial #400021A3.

****

PRELIMINARY INFORMATION:

On Monday, March 16, 2020, at approximately 1710 hours, Investigators Eugene Hatch and Steve Blagg were detailed to respond to [redacted] East 58th Street in the city of Maywood, to investigate the circumstances surrounding an assault upon four Los Angeles County Sheriff Deputies and the in-custody death of Suspect Eric Briceno. Detectives Louie Aguilera # [redacted] and Maria Maciel # [redacted] responded to the location, and were tasked with documenting the crime scene and collecting evidence. For further regarding the actions and observations of Investigators Aguilera and Maciel refer to their supplemental report prepared by Detective Maciel under the same file number.



Upon arriving at the scene, Investigators met with East Los Angeles Station Deputies Hilda Ruiz #[redacted] and Miguel Leon #[redacted] Unit 21A PM shift. Deputy Ruiz stated East Los Angeles Station Deputies had responded to the location, [redacted] East 58th Street, Maywood, earlier in the day at approximately 1050 hours, in response to an assault, and elder abuse call for service, Tag #130. Prior to deputies' arrival, Suspect Eric Briceno had fled the location in his green Ford Explorer (Sheriff's URN # 020-04083-0250-174).

At approximately 1539 hours, deputies responded to a second call for service at the same location, Tag #210. The call stated the elder abuse suspect from Tag #130, had returned to the location. Upon deputies' arrival, they were allowed into the residence, by Suspect Eric Briceno's [redacted] and directed toward the suspect's northwest bedroom. Deputies approached the open northwest bedroom door, and saw Suspect Eric Briceno lying face down on the bed. Deputies ordered the suspect to stand up and place his hands behind his back. Suspect Eric Briceno refused. When deputies entered the bedroom, Suspect Eric Briceno kicked Deputy Danny Galvez with his shod foot, stood up from the bed, and took a combative stance.

Deputy Danny Galvez withdrew his Taser from his holster and shot Suspect Eric Briceno one time in the chest with no effect. Suspect Briceno removed the Taser darts from his chest and advanced toward the deputies. Deputy Galvez shot the suspect a second time with his Taser which had no effect on the suspect. Again, Suspect Eric Briceno removed the Taser darts from his chest, and continued to advance toward the deputies. Deputy Galvez grabbed hold of the suspect from behind as he was advancing toward Deputy [redacted]. During the struggle to gain control of Suspect Eric Briceno, the deputies and the suspect fell to the ground with the suspect landing on top of Deputy Galvez.

While on the ground, Suspect Eric Briceno grabbed hold of Deputy [redacted]'s arm and pinned her arm beneath him. After repeated commands to Suspect Briceno to stop resisting, and his failure to comply, Deputy Galvez dry stunned Suspect Briceno with his Taser in an attempt free Deputy [redacted] from the suspect's grasp. Although Deputy [redacted] freed herself from the suspect's grasp, she and Deputy [redacted] were unable to gain control of the suspect's flailing arms.

Suspect Eric Briceno continued to resist the deputies and failed to comply with commands. Deputy [redacted] deployed his Oleoresin Capsicum (OC) spray which appeared to have no effect on the suspect. Suspect Eric Briceno grabbed hold of Deputy [redacted]s arm again, and pulled her into him during the struggle. Deputy [redacted], and Deputy [redacted] struck the suspect with their fists to his face and upper torso in an effort to free Deputy [redacted] from the suspect's grasp. Once Deputy [redacted] was freed



from the suspect's grasp, the deputies were able to gain control of the suspect's arms and handcuffed him.

Suspect Eric Briceno was kicking his shod feet at the deputies. He did not comply with Deputy [redacted]'s commands to stop his resistive behavior. An assisting deputy applied a Hobble restraint on the suspect's legs to gain control of his legs.

Deputy personnel requested the Fire Department, via their portable radio, to respond to the location to render aid to the suspect. Several deputies carried Suspect Eric Briceno to the living room of the location to await fire personnel. When deputies placed the suspect on the living room floor, they noticed he appeared unresponsive. Deputies removed the handcuffs and Hobble restraint from the suspect and rolled him onto his back. Deputy personnel began cardiopulmonary resuscitation (CPR) upon Suspect Eric Briceno until Los Angeles County Fire #5166, under the direction of Captain Beade, arrived and continued CPR.

Suspect Eric Briceno was transported via Care Ambulance #448, to Saint Francis Medical Center where he was pronounced dead by Doctor Chae at 1655 hours. Deputies contained the immediate area with yellow crime scene tape and notified Homicide Bureau to respond. A major incident log was initiated.

Deputy Ruiz told investigators two civilian witnesses, [redacted] and [redacted] were the [redacted] of Suspect Eric Briceno, and that both [redacted] were transported to East Los Angeles Sheriff's Station. The four deputies injured during the assault from Suspect Eric Briceno were transported to Beverly Hospital.

At approximately 1900 hours, Forensic Identification Specialist Jordan Swartz #[redacted], of the Latent Prints Section of the Los Angeles County Sheriff's Department Crime Lab responded and documented the crime scene as directed by the investigators. For further regarding the actions and observations of FIS Jordan Swartz, refer to her supplemental report which will be made part of this investigative file.

INTERVIEW WITH [redacted]

On March 16, 2020, at approximately 2010 hours, Investigators Hatch and Blagg interviewed [redacted] inside a conference room of the East Los Angeles Sheriff's Station. Also present during the interview were Los Angeles County Sheriff's Internal Affairs Bureau Sergeant [redacted] and Sergeant Scott Chapman. Deputy Andrea Villa #[redacted], was present as Spanish language translator. The interview was digitally recorded and the following is a summary of the interview.



[redacted] told investigators he was the [redacted] of Suspect Eric Briceno. He said he has lived at the location with his [redacted] since 1978, and Eric has lived in the home his entire life. They have three [redacted]

[redacted] told investigators Eric quit high school to work in a machine shop. However, Eric quit that job over 26 years ago, and had not worked since. Eric had begun using drugs, (methamphetamine) when he was a 17 years old. [redacted] said Eric was diagnosed with Schizophrenia approximately 15 years ago. He believed Eric was prescribed medication for the mental disorder, but did not know if Eric would take the medication.

[redacted] said Eric had been prosecuted and jailed approximately three years ago for elder abuse against him. [redacted] complained at that time that Eric was out of control. He was told by authorities that the way to receive that help was to allow the court to administer punishment for the assault and court ordered counseling. [redacted] denied Eric ever assaulted his [redacted]. However, [redacted] said he was fearful of his [redacted] and the past couple weeks Eric's behavior was more aggressive toward him.

[redacted] told investigators on today's date, March 16, 2020, [redacted] was making breakfast when Eric walked into the kitchen. [redacted] told Eric to eat breakfast and get out of the house because Eric was using drugs and being a nuisance. [redacted] also threatened to call the police. Eric began to argue with his [redacted] walked away from Eric to avoid a confrontation. [redacted] walked into his bedroom, and Eric followed. Eric placed his hand onto [redacted]'s face and pushed [redacted] onto the bed, causing scratches on [redacted]s face. Eric continued to push [redacted]s face into the bed. [redacted] said he was having difficulty breathing and felt he was going to lose consciousness due to Eric forcing his face into the bed. [redacted] begged Eric to stop his assault, and told Eric he would not call the police. Eric released his hold of [redacted] and left the house.

[redacted] told investigators he called law enforcement to report the assault. Deputy personnel arrived at his home, and took a report. Eric was not home when deputies arrived. [redacted] was informed to call 9-1-1 if Eric returned to the home. [redacted] said approximately three hours later, Eric returned to the home. [redacted] did not speak to Eric upon his return. Instead, [redacted] went outside into the backyard and called 9-1-1. He told the 9-1-1 operator that Eric had returned home and he wanted police to "come and get him."

A short while later deputies arrived at the home. [redacted] said soon after the deputies entered his home, his [redacted] called for him to go into the house. [redacted] said he walked toward the northwest bedroom and saw approximately six deputies in the bedroom with Eric, who was on his stomach on the floor. [redacted] said he saw deputies hitting and tasing Eric while trying to handcuff him. He heard his [redacted] saying, "I can't breathe." More



deputies arrived, and escorted [redacted] and his [redacted] out to the front yard of his house. [redacted] said he was placed in a patrol car and his [redacted] was placed in a separate patrol car, and transported to the Sheriff's Station.

Investigators concluded their interview with [redacted]

INTERVIEW WITH [redacted]

On March 16, 2020, at approximately 2055 hours, Investigators Hatch and Blagg interviewed [redacted] inside a conference room of the East Los Angeles Sheriff's Station. Also present during the interview were Los Angeles County Sheriff's Internal Affairs Bureau Sergeant [redacted] and Sergeant Scott Chapman. Deputy Andrea Villa # [redacted] was present as Spanish language translator. The interview was digitally recorded and the following is a summary of the interview.

[redacted] told investigators her [redacted] Eric Briceno lived with her and her [redacted] his entire life. Eric had never been married and never had children. She said Eric had been diagnosed approximately 15 years ago with Schizophrenia due to methamphetamine abuse that began when Eric was approximately 18 years old. [redacted] and [redacted] took Eric to a drug rehabilitation center in Tijuana, Mexico. Eric stayed at the rehab center for approximately seven months. During that time, Eric was diagnosed with Schizophrenia. Eric was prescribed medication but did not react well to the medication. [redacted] and [redacted] took Eric to Texas for approximately 8 months. Eric was seen by doctors in Texas and prescribed a different medication for Schizophrenia.

[redacted] told investigators that Eric was jailed about three years ago for an assault against his [redacted]. After that arrest, Eric was placed into "Telecare Mental Health Treatment" where he received weekly counseling and a monthly shot of "Stensavega", as well as his prescribed "Respidol". [redacted] said she controlled his "Respidol" medication and would give him his medications when she felt he needed it. It was a 3mg dose and she would give it to Eric usually at night. She said she knew Eric was using methamphetamine because she would find his glass smoking pipes almost daily, inside his bedroom. She also noticed Eric was irritable, and that was a sign to her of his illicit drug usage. [redacted] believed Eric's methamphetamine usage increased within the past three months.

[redacted] said Eric dropped out of high school in the 11th grade from Bell High School. He went to work at a machine shop for approximately four years. Once Eric quit that job, he never worked again. She said Eric and his [redacted] did not have a very good relationship. Much of the problems had to do with Eric's drug use.



[redacted] told investigators on today's date, March 16, 2020, at approximately 1000 hours, she heard Eric and [redacted] talking to each other. She knew [redacted] was upset with Eric due to Eric being awake all night. She heard an argument ensue between the two, and heard Eric cussing at [redacted] [redacted] walked into the room and told Eric to "calm down." [redacted] told Eric he was going to call the police, and Eric became enraged with his [redacted].

[redacted] saw [redacted] walking into his bedroom and saw Eric "going after him." [redacted] stepped in front of Eric to try to prevent Eric from getting to [redacted] Eric, pushed [redacted] to the side and grabbed his [redacted], [redacted] went into the bedroom where Eric was attacking [redacted]. She saw Eric had his hand on [redacted]s face, pushing [redacted] into the bed. [redacted] tried to push Eric off of his [redacted] but Eric was too strong. [redacted] begged for Eric to stop, citing the fact [redacted] recently had heart surgery. She told Eric to let go of [redacted] or he would hurt him. [redacted] said he would not call the police and Eric let go of [redacted]. Eric left the house. [redacted] said she called 9-1-1.

[redacted] said deputies responded to her home for the assault call, and a report was written. She said she believed Eric's assault upon [redacted] was a serious matter. [redacted] said approximately three hours later, [redacted] was changing the locks on the door when Eric returned to the home. [redacted] saw Eric was inside the home, and told Eric he had to leave the home.

[redacted] saw deputies had driven up to the front of her house. She believed [redacted] had called the police about Eric returning to the home. [redacted] contacted the deputies, and told them Eric was inside the restroom. The deputies went into the home to search for Eric, and [redacted] followed. She saw Eric was lying across the bed with his head toward the bedroom door. A female deputy touched Eric, and Eric stood up quickly. [redacted] told Eric to cooperate and that the deputies wanted to talk to him. Eric told her, "No, they are going to tase me."

[redacted] said Eric was facing her as she stood near the doorway. Deputies ordered Eric to put his hands behind his back. Instead, Eric made a move for the doorway and deputies grabbed him. She also heard the sound of the Taser. [redacted] said the deputies struggled to take Eric to the ground because he was very strong. [redacted] saw deputies hitting Eric on his face with their fists. When Eric was on the ground, she said he kept trying to get up, but the deputies were struggling to keep him down.

At one point, [redacted] saw the yellow Taser laying on the floor. She ran to the back door to call her [redacted] When she returned to the bedroom where Eric and the deputies were, she said she did not hear Eric or the deputies saying anything, just moaning and breathing heavy. Eric was on the floor and deputies were hitting him. She heard the

sound of the Taser several more times. [redacted] estimated one hundred deputies arrived and entered the bedroom. She saw Eric was handcuffed.

[redacted] was escorted to the living room by a female deputy. She saw deputies carry Eric from the bedroom to the living room. [redacted] said she saw paramedics performing CPR on Eric. [redacted] was placed inside a marked police car and transported to the Sheriff's Station.

[redacted] denied her [redacted] Eric ever being physically assaultive with her. She did admit that Eric was arrested in the state of Texas for a physical altercation with his [redacted]. Eric was convicted and served approximately one month in jail for that assault.

Investigators concluded their interview with [redacted].

INTERVIEW WITH SERGEANT JOSEPH BERNAS:

On March 16, 2020, at approximately 1125 hours, Investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Sergeant Joseph Bernas inside a conference room of the East Los Angeles Sheriff's Station. Mitchell Kander, Attorney, from the Law Offices of Charles Goldwasser was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Sergeant Bernas told investigators on March 16, 2020, he was assigned as the East Los Angeles Special Assignment Team supervisor, 22S PM shift. He was wearing a tan and green Sheriff's Class A short sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and drove a marked black and white Sheriff's patrol vehicle. Sergeant Bernas said he responded to the [redacted] 58th Street in the city of Maywood from the East Los Angeles Station in response to a deputy's assistance request, deputy involved in a fight, which was dispatched via Sheriff's radio. Sergeant Bernas estimated his time of arrival to be approximately five minutes, without lights and sirens.

Sergeant Bernas told investigators upon his arrival, he saw [redacted] and Deputy Nikolis Perez #[redacted], standing inside the threshold of the front entry door. Deputy Perez directed him to the north west bedroom. Sergeant Bernas saw a male Hispanic adult, Suspect Briceno, lying face down on the ground, and approximately five deputies inside the bedroom. He said the suspect was handcuffed behind his back, and his legs were restrained with a Hobble restraint. One deputy was holding the leash end of the Hobble restraint, Deputy Galvez was facing the open doorway, standing on the left side of the suspect, and two additional deputies were standing toward the right side of the suspect, and Deputy Steven Martinez #[redacted] was standing near the suspect's feet.



Sergeant Bernas could smell the odor of OC spray permeating within the bedroom. Deputy [redacted] was walking out of the room.

Sergeant Bernas ordered deputies to check the vitals of Suspect Briceno. Deputy Martinez rolled the suspect onto his right side and confirmed the suspect was breathing. Sergeant Bernas said he saw the suspect spitting blood onto the floor, and fidgeting. Due to the strong odor of OC spray inside the bedroom, Sergeant Bernas ordered the deputies to carry the suspect out of the bedroom into the living room to await fire personnel, and to be near the fresh air from the open front doorway. Due to the exhaustion of the deputies involved in the use of force, assisting deputies relieved the deputies involved in the use of force, and carried the suspect out of the bedroom.

Deputies carried the suspect approximately five feet into the hallway, and had to set him down onto the floor, due to his large stature of approximately 250 pounds. Again, Sergeant Bernas ordered Deputy Martinez to check the suspect's vital signs. Deputy Martinez rolled the suspect onto his right side and verified the suspect was breathing. Deputies carried the suspect into the living room to await fire personnel who were staging in the front yard.

Sergeant Bernas told investigators once the deputies placed the suspect onto the living room floor, he order deputies to roll him onto his side, known as a recovery position, and to monitor the suspect's breathing. Suspect Briceno did not appear to be breathing. Deputies checked for a pulse on the suspect's neck. At that time, Los Angeles County Fire personnel arrived, and checked Suspect Briceno for a pulse. The paramedic advised to start cardiopulmonary resuscitation (CPR). Sergeant Bernas ordered deputies to remove the suspect's handcuffs, and the Hobble restraint from the suspect's ankles. Deputies complied with the order, placed Suspect Briceno onto his back, and began chest compressions until relieved by fire personnel.

Sergeant Bernas told investigators at no time while he was present at the scene did he witness any deputy use force upon suspect Eric Briceno, nor did he witness any deputy deploy a Taser.

Investigators concluded their interview with Sergeant Joseph Bernas.

INTERVIEW WITH DEPUTY ERIC CHINARIAN:

On March 17, 2020, at approximately 0057 hours, Investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy Eric Chinarian inside a conference room of the East Los Angeles Sheriff's Station. Ken Yuwiler, Attorney, from the law

offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy Chinarian told investigators on March 16, 2020, he was assigned to work the East Los Angeles Station Special Assignment Team as Unit 20E2. Deputy Steven Martinez was assigned as his partner. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and drove a marked black and white Sheriff's patrol vehicle. Deputy Chinarian said he responded to [redacted] 58th Street in the city of Maywood in response to radio traffic of Deputy [redacted] requesting assistance for being involved in a fight. Deputy Chinarian estimated his time of arrival from the city of East Los Angeles to be approximately five to six minutes, code-3 (emergency lights and siren).

Deputy Chinarian said upon his arrival, Deputy Martinez ran from the vehicle toward the residence. Deputy Chinarian saw a Maywood Community Officer who directed him to [redacted] 58th Street. Deputy Chinarian ran toward the rear of the property, and entered the back door of the residence. Once he was inside the house, he heard scuffling coming from the north west bedroom. Deputy Chinarian walked north down the hall toward that room and smelled the odor of OC spray. When he arrived at the north west bedroom, he saw approximately six to eight deputies inside the bedroom attempting to restrain Suspect Eric Briceno. The suspect was lying on his stomach at the foot of the bed near the doorway.

Deputy Chinarian said he heard someone giving the commands to "Stop fighting." "Stop kicking." "Stop, or I'll tase you." He saw deputies on the side of the suspect being moved from side to side. Deputy Chinarian believed the suspect was resisting and flailing his limbs causing the deputies to be tossed from side to side, as they attempted to control and handcuff him. He heard Deputy [redacted] request a Hobble to restrain the suspect's legs.

Deputy Chinarian told the investigators while he stood in the doorway, he did not see or hear any deputy deploy the Taser. He said additional deputy personnel started arriving. Dep Chinarian was being overcome by the odor of the OC spray, and started coughing. He said is eyes were tearing up and he was having difficulty breathing. He noticed other deputies inside the bedroom displaying the same symptoms. He stepped into an adjacent bedroom to recover. At that time, Sergeant Bernas arrived. Deputy personnel began relieving the exhausted deputies who he had seen earlier struggling with the suspect.

Deputy Chinarian entered the bedroom and saw the suspect was lying on his stomach on the floor handcuffed behind his back with two sets of handcuffs. Deputy Chinarian

relieved a deputy and took a position on the right side of the suspect. Sergeant Bernas ordered the deputies to check the suspect's breathing. Deputy Martinez checked the suspect and commented that the suspect was breathing. Deputy Chinarian told investigators he saw and heard fire personnel staging on the front yard of the residence.

Deputy Chinarian said all the deputies inside the bedroom appeared to be affected by the odor of OC spray. Deputy Chinarian, and approximately six additional deputies, carried the suspect out of the bedroom and placed him onto the ground in the hallway. Sergeant Bernas ordered deputies to check the suspect's vital signs. Deputy Martinez confirmed that suspect Eric Briceno was breathing. Deputy Chinarian, and approximately six additional deputies carried the suspect from the hallway to the living room. They initially placed the suspect on his stomach, then rolled him onto his right side, a recovery position. Sergeant Bernas ordered deputies to check the suspect's vitals. Fire personnel entered the home and requested deputies begin CPR. The handcuffs were removed from the suspect, and the suspect was turned onto his back. A deputy began chest compressions and fire personnel immediately took over.

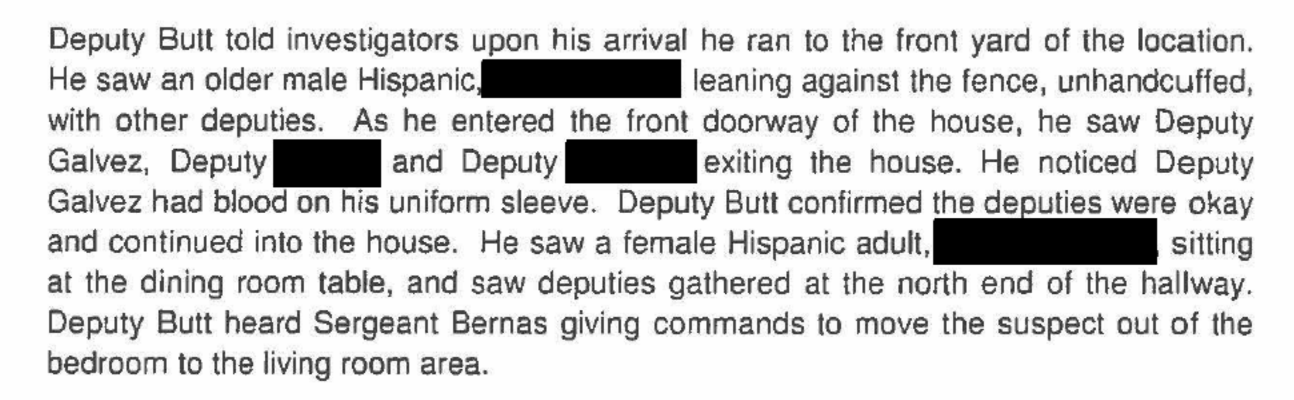
Investigators concluded their interview with Deputy Eric Chinarian.

INTERVIEW WITH DEPUTY MANAN BUTT:

On March 17, 2020, at approximately 0130 hours, Investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy Manan Butt inside a conference room of the East Los Angeles Sheriff's Station. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy Butt told investigators on March 16, 2020, he was assigned to work the East Los Angeles Station Special Assignment Team as Unit 20E1. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and drove a marked black and white Sheriff's patrol vehicle. Deputy Butt said he responded from the East Los Angeles Sheriff's Station Jail to [redacted] 58th Street in the city of Maywood in response to radio traffic of a female deputy screaming that she was involved in a fight. He then heard a radio dispatch officer asking for a sergeant unit to respond to the location, and realized it was an East Los Angeles Deputy requesting assistance. Deputy Butt said Deputy Joana Palombi #[redacted], got into his car to go with him to the location. Deputy Butt estimated his time of arrival from the East Los Angeles Sheriff's Station to be approximately five to seven minutes, code-3 (emergency lights and siren).




Deputy Butt told investigators upon his arrival he ran to the front yard of the location. He saw an older male Hispanic, [redacted] leaning against the fence, unhandcuffed, with other deputies. As he entered the front doorway of the house, he saw Deputy Galvez, Deputy [redacted] and Deputy [redacted] exiting the house. He noticed Deputy Galvez had blood on his uniform sleeve. Deputy Butt confirmed the deputies were okay and continued into the house. He saw a female Hispanic adult, [redacted] sitting at the dining room table, and saw deputies gathered at the north end of the hallway. Deputy Butt heard Sergeant Bernas giving commands to move the suspect out of the bedroom to the living room area.

Next, Deputy Butt saw several deputies carrying the handcuffed suspect out of the bedroom into the hallway and place him onto the floor on his stomach. He said he could smell the odor of OC spray emitting down the hallway, and saw deputies coughing. He heard Sergeant Bernas order deputies to check the suspect's vitals, and a deputy confirmed the suspect was breathing. Sergeant Bernas then ordered deputies to carry the suspect to the living room.

Deputy Butt retreated to the living room area and contacted the suspect's [redacted] There were two other deputies with [redacted] As the deputies carried Suspect Eric Briceno into the living room, [redacted] asked, "Did you kill him?" and she tried to approach the deputies who were triaging the suspect. The deputies placed the suspect onto his right side, and heard Sergeant Bernas give an order to check the suspect's vitals again.

Deputy Butt told investigators he noticed the suspect's face appeared to be turning bluish in color. A fireman entered the living room just as deputies uncuffed the suspect, and rolled him onto his back. The fireman cut the suspect's shirt and requested deputies begin CPR. Deputy Ruiz began chest compressions on Suspect Eric Briceno until additional fire personnel arrived.

Investigators concluded their interview with Deputy Manan Butt.

INTERVIEW WITH DEPUTY ANDREW MAGALLANES:

On March 17, 2020, at approximately 0222 hours, Investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy Andrew Magallanes inside a conference room of the East Los Angeles Sheriff's Station. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.



Deputy Magallanes told investigators on March 16, 2020, he was assigned to work the city of Commerce as Unit 27 PM shift. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and drove a marked black and white Sheriff's patrol vehicle. Deputy Magallanes said he responded from the city of Commerce to [redacted] 58th Street in the city of Maywood in response to radio traffic of a female deputy requesting assistance for being involved in a fight. He estimated his travel time to be approximately three to five minutes, code-3 (emergency lights and siren). Prior to his arrival, he heard via Sheriff's radio that the fight with deputies was in the rear of the house, and a second update requesting Los Angeles County Fire respond to the location for injuries to the suspect and the deputies.

Deputy Magallanes said when he arrived to the location, and entered the house he immediately noticed the odor of OC spray, and continued to the back bedroom of the house. He saw several deputies inside the room and Suspect Eric Briceno lying face down on the ground. He immediately asked deputy personnel who needed to be "swapped out". Deputy Magallanes explained "swapped out" referred to taking over a position for a deputy who needed a break due to exhaustion, fatigue, fresh air from OC spray, or just to get the deputy out of harm's way. Deputy Magallanes relieved Deputy [redacted] from his position and noticed the suspect was handcuffed with two sets of handcuffs, behind his back, and a Hobble restraint securing the suspect's ankles.

Deputy Magallanes estimated Suspect Eric Briceno to be more than 6' tall, and over 300 pounds in weight, based on the suspect's mass covering the bedroom floor. He told investigators when he relieved Deputy [redacted] on the right side of the suspect, Deputy [redacted] handed him a Taser. Deputy Magallanes observed the Taser did not have any Taser prong wires protruding from it and saw that the Taser was in the "off" position. He believed the fired Taser cartridge was still within the Taser housing.

Deputy Magallanes assisted with rolling Suspect Eric Briceno onto his right side, recovery position, to check the suspect's vital signs upon orders from Sergeant Bernas. Deputy Magallanes said he heard mumbling and grunts coming from Suspect Eric Briceno as he was rolled onto his right side. A deputy verified the suspect was breathing. Sergeant Bernas ordered deputy personnel to carry the suspect out of the bedroom to await fire's arrival, and to allow fire personnel more room to triage the suspect for his injuries. Deputy Magallanes said he saw blood on the suspect's face and bedroom floor where the suspect was lying, but he did not notice where the blood was coming from.



Deputy Magallanes said he assisted approximately six to eight additional deputies with carrying the suspect out of the bedroom. He grabbed hold of the suspect by the handcuffs.

Deputy Magallanes told investigators that he, and assisting deputies carried Suspect Briceno into the hallway. The suspect was placed onto the floor on his right side, and his vital signs were checked. A deputy verified that the suspect was breathing, and Deputy Magallanes said he heard Suspect Briceno was still grunting and mumbling unknown words. Deputies then carried the suspect into the living room where he was placed onto the floor on his stomach.

Deputy Magallanes said he handed a deputy the Taser to be secured. Sergeant Bernas order deputies to roll Suspect Briceno onto his side and recheck vital signs. Deputy Magallanes assisted rolling the suspect onto his right side. He noticed the suspect appeared to be pale. Deputy Magallanes checked several areas of the suspect's neck for a pulse, and was unable to locate one. At that time, fire personnel walked into the house, and Deputy Magallanes advised them that Suspect Briceno did not have a pulse.

Deputy Magallanes said that fire personnel requested deputies remove the handcuffs and Hobble restraint from Suspect Briceno. The handcuffs and Hobble restraint were removed for the suspect, and he was rolled onto his back. Deputy personnel began CPR upon the suspect until fire personnel took over lifesaving efforts.

Deputy Magallanes told investigators at no time did he deploy the Taser, and he did not witness any other deputy personnel deploy the Taser.

Deputy Magallanes said he was tasked with transporting [redacted] to the East Los Angeles Sheriff's Station as a witness. Deputy Magallanes said [redacted] was not handcuffed during transport. However, during the incident, he did see Deputy Palombi handcuff [redacted] for unknown reasons. At the Sheriff's Station, Deputy Magallanes maintained security of both [redacted] and [redacted] inside the conference room. When investigators interviewed [redacted] Deputy Magallanes maintained security of [redacted] inside a separate room. [redacted] conversed with Deputy Magallanes.

[redacted] spontaneously told Deputy Magallanes that he had failed with the raising of his [redacted] Suspect Eric Briceno. [redacted] said for the past 20 years, Suspect Briceno had abused methamphetamine, and assaulted him. He believed his [redacted] was better off jailed or dead due to his belief the alternative for the suspect would be homelessness for the rest of his life.



Investigators concluded their interview with Deputy Andrew Magallanes.

INTERVIEW WITH DEPUTY ISRAEL HERRERA:

On March 17, 2020, at approximately 0316 hours, Investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy Israel Herrera inside a conference room of the East Los Angeles Sheriff's Station. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy Herrera told investigators on March 16, 2020, he was assigned to work the city of East Los Angeles as Unit 23A AM shift with his partner/[redacted] Deputy Gonzalez. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and drove a marked black and white Sheriff's patrol vehicle. Deputy Herrera said he responded from the city of East Los Angeles to [redacted] 58th Street in the city of Maywood, in response to an assistance request of a deputy involved in a fight. He said his arrival time was approximately six minutes, code-3 (emergency lights and siren).

Upon his arrival, he entered the location from the back door. He saw a female adult, [redacted], inside the living room of the house. [redacted] looked at the deputy and pointed toward the north west bedroom. Deputy Herrera also heard arguing and a struggle coming from the same direction. Dep Herrera said he ran to the north west bedroom, and saw Suspect Eric Briceno lying handcuffed face down on the bedroom floor, and several deputies inside the bedroom, holding down the suspect. He saw a pool of blood on the bedroom floor. He saw the suspect violently kicking his feet at the deputies while the deputies were inside the bedroom. He heard a deputy yell that the suspect was kicking. He heard a deputy yell for a Hobble restraint, and ordered the suspect to stop fighting and kicking. He saw a deputy place a Hobble restraint on the suspect's legs, and a deputy holding onto the free end of the Hobble restraint.

Deputy Herrera entered the bedroom and took a position near Suspect Briceno's flailing feet, and applied pressure to the back of the suspect's legs to prevent him from kicking, allowing deputies to apply the Hobble restraint. Deputy Herrera said Suspect Briceno continued to groan and attempt to get up from the floor. He said he could smell the odor of OC spray inside the room. He was having difficulty breathing and seeing due to the strong odor of OC spray. He noticed other deputies that assisted with maintaining control of the suspect, were coughing as well.

Deputy Herrera told investigators he heard Sergeant Bernas order deputy personnel to roll the suspect onto his side, and check his vital signs. A deputy confirmed Suspect

Briceno was breathing. Sergeant Bernas ordered deputies to carry the suspect out of the bedroom to be treated by fire personnel. Deputy Herrera grabbed the suspect by his upper leg area but had to let go due to the narrow doorway. He estimated the suspect to be approximately 6'02" and weighed 300 pounds. He saw deputies place the suspect onto the hallway floor on his stomach, and then rolled onto his right side, recovery position. A deputy verified that the suspect was breathing. Deputies regained their grip on the suspect, and continued to carry him to the living room.

Deputy Herrera said he heard Sergeant Bernas again order deputies to roll the suspect onto his right side and reassess his vital signs. A deputy checked for a pulse and yelled that the suspect was not breathing. Sergeant Bernas ordered the suspect to be unhandcuffed, and to remove the Hobble restraint. Deputy Herrera removed the suspect's handcuffs and the suspect was rolled onto his back. He said he heard someone say "chest compressions," and a deputy began CPR until relieved by fire personnel.

Deputy Herrera, and his partner followed the ambulance during the transport of Suspect Briceno to Saint Francis Medical Center, where he was pronounced dead. Deputy Herrera saw medical staff place the suspect remains, and his clothing into a medical examiner's bag and taken to the hospital morgue.

Investigators concluded their interview with Deputy Israel Herrera.

INTERVIEW WITH DEPUTY JOSE LOPEZ:

On March 17, 2020, at approximately 0420 hours, Investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy Jose Lopez inside a conference room of the East Los Angeles Sheriff's Station. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy Lopez told investigators on March 16, 2020, he was assigned to work the city of East Los Angeles as Unit 23 PM shift with his partner/[redacted] Deputy Perez. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and drove a marked black and white Sheriff's patrol vehicle. Deputy Lopez said he responded from the city of East Los Angeles to [redacted] 58th Street in the city of Maywood, in response to an assistance request of a deputy involved in a fight. He said his arrival time was approximately six minutes, code-3 (emergency lights and siren).



Deputy Lopez said upon his arrival he saw an older male, [redacted] standing in the front yard of the location. [redacted] directed the Deputy Lopez into the location. Deputy Lopez noticed a strong odor of OC spray emitting inside the location, and several deputies coughing. He saw Deputy [redacted] walking away from the bedroom, coughing.

Deputy Lopez told investigators he looked into the bedroom and saw several deputies inside the bedroom and Suspect Eric Briceno lying face down on the bedroom floor. Deputy Lopez entered the bedroom and saw the suspect was handcuffed. He saw the suspect was moving, kicking his feet toward deputies. Deputy Lopez placed his right hand onto the suspect's middle back to prevent him from getting up. He said he could feel the suspect's lower body continued to move.

Deputy Lopez heard Sergeant Bernas arrive and ordered deputies to carry the suspect into the hallway. Deputy Lopez grabbed the suspect by his belt. Approximately six deputies were needed to carry the suspect due to his large stature. Deputy Lopez said they placed the suspect on his right side of the hallway floor, and a deputy confirmed the suspect was breathing. Again, Deputy Lopez grabbed the suspect by his belt, and assisted several deputies carry the suspect into the living room where he was placed on the floor.

Deputy Lopez told investigators that Sergeant Bernas ordered deputies to recheck the suspect's vital signs. At that time, fire personnel arrived, and Deputy Lopez walked out of the house.

Investigators concluded their interview with Deputy Jose Lopez.

INTERVIEW WITH DEPUTY ROLANDO CORRALES:

On March 17, 2020, at approximately 0440 hours, Investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy Rolando Corrales inside a conference room of the East Los Angeles Sheriff's Station. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy Corrales told investigators on March 16, 2020, he was assigned to work the city of East Los Angeles as Unit 22 PM shift with his partner [redacted] Deputy Kim. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and drove a marked black and white Sheriff's patrol vehicle. Deputy Corrales said he responded from the city of East Los Angeles Sheriff's Station to [redacted] 58th Street in the city of Maywood, in



response to an assistance request of a deputy involved in a fight. He said his arrival time was approximately seven minutes, code-3 (emergency lights and siren).

Deputy Corrales told investigators upon his arrival, he went inside the location, and saw several deputies carrying Suspect Briceno out of the back bedroom. He assisted carrying the suspect with his left hand underneath the suspect's armpit. Deputy Corrales estimated the suspect to weigh approximately 260 pounds. Approximately five additional deputies were needed to carry the suspect. Deputy Corrales saw the suspect was handcuffed behind his back, and a Hobble restrained his feet. He saw the suspect moving his head in an up and down motion.

Deputy Corrales said the suspect was placed on the hallway floor on his right side, recovery position. He heard someone giving the command to check the suspects pulse. A deputy verified the suspect was breathing. The deputies regained hold of the suspect and continued carrying the suspect toward the living room.

Deputy Corrales said they placed Suspect Briceno onto the living room floor in the recovery position. At that time, fire personnel arrived and checked the suspect's vital signs. An order was given to remove the suspect's handcuffs, Hobble restraint, and begin CPR. Deputies removed the handcuffs, and Hobble restraint. Deputy Corrales performed one round of 30 chest compressions on the suspect, then Deputy Ruiz relieved him, continuing CPR. Fire personnel took control of CPR on Suspect Briceno.

Investigators concluded their interview with Deputy Rolando Corrales.

TASER 7 DOWNLOAD:

On March 17, 2020, at approximately 1245 hours, Investigators Hatch and Blagg drove to 441 Bauchet Street, Los Angeles. Investigators contacted Custody Force Training Unit, Deputy Thomas Luu #[redacted] regarding the download of Taser 7, #22, serial #400021A3 (Evidence Held Item #16), cartridge battery.

Investigators obtained the Taser download protocol from Custody Force Training, Sergeant Tim Klement #[redacted] On March 17, 2020, Investigators retrieved and reviewed the downloaded report of Taser 7 #22. Investigators noted the following timeline of Taser 7 #22 deployments:

March 16, 2020	15:43:51	Discharge	4.67 seconds
March 16, 2020	15:43:58	Discharge	4.56 seconds



March 16, 2020	15:44.07	Discharge	4.86 seconds
March 16, 2020	15:47:15	Discharge	4.95 seconds
March 16, 2020	15:47:25	Discharge	4.95 seconds
March 16, 2020	15:47:42	Discharge	4.96 seconds
March 16, 2020	15:48:12	Discharge	4.93 seconds
March 16, 2020	15:48:50	Discharge	4.96 seconds

The Taser 7 #22 report will be made a permanent part of this investigative file.

ADDITIONAL EVIDENCE COLLETCED:

On March 17, 2020, investigators Hatch and Blagg retrieved four cellphones from Detective Maria Maciel which were recovered from the interior of Suspect Briceno's 1999 Ford Explorer, and photographed collectively as Evidence Held Item #14. Investigators also retrieved a glass smoking pipe **(Evidence Held Item #15)**, from Detective Maciel that was recovered from Suspect Briceno's pockets and placed on a dining room chair with the rest of the property retrieved from the suspect's pockets.

Investigators were able to identify the IMEI numbers, and serial numbers for each individual phone, and further marked the phones as evidence **(Evidence Held Items #14-A through Item #14-D)**. Investigators booked the cellphones at Sheriff's Homicide, and booked the glass pipe at East Los Angeles Sherriff's Station Narcotics locker to be disposed of.

INTERVIEW WITH DEPUTY DANNY GALVEZ:

On March 19, 2020, at approximately 0915 hours, investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy Danny Galvez inside a conference room of the Association of Los Angeles County Deputy Sheriff's located in the city of Monterey Park. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy Galvez told investigators on March 16, 2020, he was assigned to work the city of Maywood as Unit 28A PM shift. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun

belt, and Taser 7. He drove a marked black and white Sheriff's patrol vehicle. Deputy Galvez said he was assigned as an assisting unit to respond to [redacted] 58th Street, Maywood, regarding a call for service of an elder abuse suspect (Eric Briceno) had returned to the location.

Deputy Galvez told investigators he and assisting unit, Deputy [redacted], arrived simultaneously at the front of the location. Deputy [redacted] had responded to the rear of the location. Upon arrival, Deputy [redacted] and Deputy Galvez walked up to the front door of the location, and met [redacted] who had stepped out of the front of the house to meet the deputies. Deputy [redacted] began conversing with [redacted] regarding the whereabouts of Suspect Eric Briceno.

[redacted] told the deputies Suspect Briceno was inside the house using the restroom. She said that Suspect Briceno did not have any weapons. Deputy [redacted] began talking with [redacted]. The three deputies formulated a tactical plan, consisting of Deputy [redacted] giving commands, Deputy Galvez was designated to use less-than-lethal force as necessary, and Deputy [redacted] was designated with lethal force if needed.

The three deputies approached the threshold of the front entry door, and made announcements for the suspect to make himself known. There was no response. The three deputies made entry into the front door of the house and began to clear the house, room by room beginning with the living room, dining room, and kitchen area. Next, the three deputies walked north down the hallway toward the bedrooms and bathroom.

Deputy Galvez said as the three deputies continued to clear the house, Deputy [redacted] was giving verbal commands for Suspect Briceno to make himself known to the deputies to no avail. When the deputies reached the open doorway of the north west bedroom, Deputy Galvez saw the suspect lying on his stomach, across the bed, with his arms stretched out to the sides from his torso "like an airplane". The suspect's head was facing toward the east, closest to the doorway, and his feet toward the west. Deputy Galvez said he saw the suspect was lying on his left cheek, making it possible to see the suspect's face. He said Suspect Briceno had his eyes closed giving the appearance of being asleep. Deputy [redacted] again gave verbal commands to the suspect without any response.

Deputy Galvez told investigators he entered the bedroom and took a position on the west end of the bed near the suspect's feet. Deputies [redacted] and [redacted] took a position inside the bedroom near the suspect's head, on the east side of the bed. Deputy [redacted] tapped on the suspect's shoulder in a waking gesture with her hand, as she stated she merely needed to speak to him. Suspect Briceno awoke. Deputy [redacted]



advised the suspect she needed to talk to him, and to place his hands behind his back. The suspect mumbled something in response, and began to place his hands behind his back.

Deputy [redacted] moved toward Suspect Briceno's left hand to place a handcuff on his left hand, and Deputy [redacted] moved toward the suspect's right hand to handcuff him. Suspect Briceno immediately pulled his hands from the deputies grasp, and made a full force "horse kick" motion with his shod foot, striking Deputy Galvez to his midsection, causing Deputy Galvez to be moved backwards. Deputy Galvez momentarily lost his balance from being kicked by the suspect.

Deputy Galvez said Suspect Briceno quickly stood up from the bed, and took a fighting stance toward him, Deputy [redacted] and Deputy [redacted] on the south side of the bed. Deputy Galvez described the stance as having his body bladed, with his feet shoulder width apart, his right foot slightly forward from his left, and his arms up, and bent like a boxer with clenched fists. Deputy Galvez saw the suspect was approximately 6'00" to 6'02" in height and weighed approximately 250 to 260 pounds. He noticed the suspect was wearing blue jeans, and a blue jean jacket. Deputy Galvez retreated toward the south side of the bed, putting approximately five feet of distance between himself and the suspect.

Deputy Galvez told investigators he saw that the suspect appeared fixated on Deputy [redacted] who was standing behind the deputies. Deputy Galvez withdrew his Taser 7 from his holster and pointed it at the suspect. Commands were given to the suspect to place his hands behind his back. Suspect Briceno did not comply and made the repeated the statement, "You don't know me!" [redacted] injected herself into the situation from the bedroom threshold, stating, "Don't fight them. Don't fight them." Instead, Suspect Eric Briceno advanced toward the deputies.

Deputy Galvez said at that point, based on the suspect's prior actions, his failure to comply with commands, the glazed over blank stare in his eyes, and his demeanor of a fighting stance, he felt the Suspect Briceno was going to continue his assault upon the deputies. Deputy Galvez deployed his Taser at the suspect, striking him in the upper chest area. Deputy Galvez said he saw Suspect Briceno "swat" away the Taser darts from his chest, knocking the darts to the ground, and continued toward the deputies. Deputy Galvez deployed a second set of Taser darts from his Taser cartridge at the suspect's chest area. He saw Suspect Briceno grab the Taser dart wiring with his hands and pull the darts from his chest with no effect upon him. Deputy Galvez said he saw Suspect Briceno look past him and Deputy [redacted] who was standing next to him. Suspect Briceno appeared to ignore the presence of Deputy Galvez and Deputy [redacted] and seemed fixated with Deputy [redacted] as he continued his advance toward her.



Deputy Galvez told investigators Suspect Briceno lowered his head, and moved his hands toward the front of his body as he charged past him and Deputy [redacted] toward Deputy [redacted] as if to tackle her. The suspect was approximately one step away from contacting Deputy [redacted] when Deputy Galvez jumped onto the suspect's back, using his arms to grab hold of the suspect's upper body, dropping his Taser onto the floor in the process. Deputy Galvez said he believed he had hold of Suspect Briceno's shoulders and head, and used his body weight to knock the suspect off balance.

Deputy Galvez said his momentum, and the momentum of Suspect Briceno caused them both to fall toward the foot of the bed, and onto the bedroom floor. Deputy Galvez maintained his grasp of the suspect as they both fell to the ground. Deputy Galvez hit the floor with his back, and Suspect Briceno fell on top of him. The suspect's back was against Deputy Galvez' stomach. Deputy Galvez felt breathless when he crashed to the ground due to the weight of the suspect landing on him, but he continued to hold onto the suspect in a "bear hug" fashion.

Suspect Briceno continued to thrash his limbs in an attempt to free himself, and get up. Deputy Galvez said he could feel the suspect using his torso to push against him. Deputy Galvez explained to the investigators that he believed, due to the suspect's larger stature than himself and his partners, the safest way to control the suspect was to keep Suspect Briceno on the ground, preventing him from standing, and utilizing his much larger size to overcome the deputies.

Deputy Galvez told investigators while he attempted to maintain his hold of Suspect Briceno, he saw Deputy [redacted], and Deputy [redacted] on each side of the suspect, attempting to grab hold of the suspect's flailing arms. During the struggle to gain control of Suspect Briceno, Deputy Galvez told Deputy [redacted] and Deputy [redacted] to roll the suspect onto his stomach. Deputy Galvez was able to free himself from underneath Suspect Briceno, and the three deputies were able to turn the suspect onto his stomach. Suspect Briceno continued making grunting noises and attempting to get up from the floor.

Deputy Galvez said that Deputy [redacted] continued giving commands to Suspect Briceno to stop resisting. At one point, while Deputy [redacted] was kneeling next to the suspect, attempting to gain control of the suspect's right hand, he saw Deputy [redacted] quickly fall forward into the suspect. Deputy [redacted] yelled, "He's got my arm. He's got my arm!" Deputy Galvez believed Suspect Briceno grabbed hold of Deputy [redacted]s right arm, and purposely pulled Deputy [redacted] closer into him in an attempt to overtake Deputy [redacted] or to gain control of her firearm. It appeared to Deputy Galvez that the suspect was attempting to pull Deputy [redacted] underneath him. He used his right fist to punch Suspect Briceno in the face approximately four times in an effort to



free Deputy [redacted] from the suspect's grasp. Deputy [redacted] was able to free herself from the suspect and regain her balance. However, Suspect Briceno continued to fight the deputies.

Suspect Briceno was able to move his own hands underneath his torso, and begin to raise himself up from the ground in a push up position. Deputy Galvez said he saw Deputies [redacted] and [redacted] raise up from the suspect's force while their weight was against the suspect's back. Deputy Galvez was using his own body weight by pressing his own chest and forearms against the suspect's head, and upper back area. Deputy Galvez was surprised at the fact Suspect Briceno had enough strength to raise himself up from the ground with three deputies attempting to keep him on the ground. Deputy Galvez saw [redacted] enter the bedroom and attempt to pull Deputy [redacted] away from the suspect, saying, "Don't hurt him." Deputy [redacted] pushed [redacted] back into the hallway. He heard [redacted] yelling at his [redacted] to stay in the kitchen and leave the deputies alone.

Deputy Galvez heard Deputy [redacted] say, "Dry stun him!" Deputy Galvez saw the Taser on the ground south of where the struggle was taking place. He yelled for Deputy [redacted] to hand him the Taser. Deputy [redacted] was able to retrieve the Taser and hand it to Deputy Galvez. The three deputies continued to struggle gaining control of Suspect Briceno. Deputy Galvez made a direct contact with his Taser onto Suspect Briceno's middle back, and deployed the Taser, with no reaction from the suspect. Suspect Briceno began yelling, "Just shoot me already!"

Deputy Galvez saw that Deputy [redacted] appeared inside the bedroom. Deputy [redacted] attempted to gain control of the suspect, and told the suspect he would be OC sprayed if he did not stop resisting. Suspect Briceno continued to flail his arms and legs. Deputy [redacted] deployed OC spray toward the suspect's face, with no effect on the suspect. Deputy Galvez said the OC spray caused him discomfort and blurred his vision, as well as the exhaustion he was starting to experience. The four deputies were unable to gain control of the suspect.

Deputy Galvez was told by Deputy [redacted] to dry stun the suspect's bare skin. Deputy Galvez saw Suspect Briceno's clothing had risen up during the struggle, exposing the bare skin of his lower back. Deputy Galvez placed his Taser against the bare skin of Suspect Briceno's lower back and deployed the Taser, activating a five second burst of current. Deputy Galvez believed the dry stun on the suspect's bare skin was effective because that allowed deputies to gain some control of the suspect's arms. However, Suspect Briceno continued to flail his torso, and kick his legs at the deputies, resisting their attempts to control him. The suspect still kept his arms underneath him.



Deputy Galvez said he heard Deputy [redacted] yell out in a panic, "My hand. My hand!" "Fuck!" Indicating that Suspect Briceno had grabbed hold of Deputy [redacted]s hand. Deputy Galvez utilized his Taser and dry stunned the bare skin of Suspect Eric Briceno's lower back again, in an attempt to release the suspect's grip of Deputy [redacted] Simultaneously, the suspect released his grip of Deputy [redacted] and deputies were able to gain control of Suspect Briceno's right arm, and place it behind his back.

Deputy Galvez saw Suspect Briceno reach up with his left hand, grab Deputy [redacted]s right hand and pull her into him again, causing Deputy [redacted] to fall forward into the suspect. Deputy [redacted] was able to free herself from the suspect. Deputies placed one handcuff onto Suspect Briceno's right wrist. Deputies continued to struggle with the suspect to gain control of his left arm, and kicking legs. The suspect continued yelling, "Shoot me. Shoot me!" Deputy Galvez believed the suspect was not going to stop resisting the deputies, and comply. Deputy Galvez utilized his Taser and, dry stunned the bare skin of Suspect Briceno's lower back, deploying a five second burst of current.

Deputy Galvez saw Deputy [redacted] use a flashlight as a "pry bar" tool between Suspect Briceno's upper arm and torso area, to pull the suspect's arm away from his body. Deputy Galvez did not believe prying the suspect's arm away from his torso was effective. Deputy Galvez utilized his Taser and, dry stunned the bare skin of suspect Briceno's lower back, again, deploying a five second burst of current. Deputies were able to gain control of the suspect's left arm and apply handcuffs to his left wrist. Suspect Briceno continued to violently flail and kick his legs toward deputies.

Deputy Galvez told investigators that deputies were able to gain a small degree of control of Suspect Eric Briceno every time he dry stunned the suspect's bare skin. He believed he deployed the Taser approximately seven times total during the entire struggle to gain control of Suspect Briceno. He said Deputy [redacted] maintained radio traffic discipline during the entire struggle. Suspect Briceno briefly stopped kicking his legs, and radio traffic was broadcast for fire personnel to respond to the location to triage the suspect. At that time, Suspect Briceno began to kick at the deputies again.

Deputy Galvez said he placed his shin against Suspect Briceno's back to prevent the suspect from turning to his side. Deputy Galvez saw additional deputies arriving at the location. Deputy [redacted] requested a Hobble restraint, and a Hobble restraint was placed on Suspect Briceno's lower legs to prevent him from kicking.

Deputy Galvez told investigators when he was relieved inside the bedroom where the fight with deputies occurred, he walked out of the house. He said he was completely exhausted, out of breath, and felt pain to his right hand. Deputy Galvez was ultimately



transported to Beverly Hospital for his injuries where he was diagnosed with a fracture to his right hand. Deputy Galvez was fitted with a soft cast to his right wrist.

Deputy Galvez said he received Taser [redacted] On [redacted] Deputy Galvez attended an additional [redacted] from the Los Angeles County Sheriff's, [redacted]

The Taser 7 carried and deployed by Deputy Galvez on March 16, 2020, during his shift as East Los Angeles Sheriff Unit 28 PM shift was a Los Angeles County Sheriff's Department issued Taser 7.

Investigators concluded their interview with Deputy Danny Galvez.

INTERVIEW WITH DEPUTY [redacted]

On March 19, 2020, at approximately 1043 hours, investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy [redacted] inside a conference room of the Association of Los Angeles County Deputy Sheriff's located in the city of Monterey Park. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy [redacted] told investigators on March 16, 2020, she was assigned to work the city of Maywood as Unit 28H AM shift. She was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and she drove a marked black and white Sheriff's patrol vehicle. Deputy [redacted] said she was assigned to handle a priority call for service to respond to [redacted] 58th Street, Maywood, regarding an elder abuse suspect (Eric Briceno) had returned to the location. Three additional units were assigned to assist her.

Deputy [redacted] told investigators prior to the start of her shift, she was briefed by a dayshift deputy about a reported incident of elder abuse at the location, where the suspect had fled prior to deputies' arrival. When she received the priority call for service, she was the fourth unit to arrive at the location. She remembered handling a call for service at the location several months earlier. During that earlier incident, she had contact with [redacted] regarding some type of theft call, and described that interaction as positive. Upon her arrival, she saw Deputies Galvez and [redacted] talking to a female adult, [redacted] at the front door of the location.



Deputy [redacted] said she contacted [redacted] told her Suspect Eric Briceno was inside the back bedroom of the house, and her [redacted] was in the backyard. [redacted] told Deputy [redacted] that Suspect Briceno had assaulted [redacted] earlier in the day, and the suspect had just returned home. Deputy [redacted] formed a tactical plan to enter the location, and contact the suspect.

Deputy [redacted] made several announcements from the front door threshold summoning Suspect Briceno to make himself known to deputies. When there was no response, Deputy [redacted], Deputy Galvez, and Deputy [redacted] entered the home, and cleared room by room while making announcements for Suspect Briceno to make himself known. When the deputies reached the north end of the hallway, she saw Suspect Briceno inside the northwest bedroom, lying on his stomach across the bed with his arms near his head. She told the suspect to show his hands to the deputies. Suspect Briceno moved his arms down toward his torso, like an airplane. She said she saw Suspect Briceno blinking his eyes at that point.

Deputy [redacted] told investigators she stepped inside the bedroom, along the east wall, and told Suspect Briceno to put his hands behind his back for safety reasons, and speak with the deputies. Deputy [redacted] entered the bedroom and took a position on the south side of the bedroom. Deputy Galvez entered the bedroom and took a position on the west side of the room near the suspect's feet. Deputy [redacted] placed her hand on the left wrist of Suspect Briceno and said she immediately felt, and saw his body tense up, and become rigid. Deputy [redacted] saw Deputy [redacted] attempt to place a handcuff on the suspect's right wrist. Suspect Briceno immediately kicked Deputy Galvez and jumped up from the bed, pulling his wrists from her and Deputy [redacted]

Deputy [redacted] told investigators she saw Deputy Galvez stumble backwards from being "horse kicked" by Suspect Briceno. The suspect stood up near the west side of the bed, and took a fighting stance; feet shoulder width apart, with one foot bladed from the other, hands clenched, and arms bent in front of him. Deputy [redacted] immediately broadcast deputy involved in a fight via her handheld radio. Deputy [redacted] estimated Suspect Briceno to be approximately 6'00" in height, and weighed approximately 280 pounds, wearing a jean jacket and blue jeans. She heard a deputy tell the suspect to relax or he would be tased. About that time, Deputy [redacted] said [redacted] tried to enter the bedroom. Deputy [redacted] extended her arm preventing [redacted] from entering, and ordered her to stay outside. She heard [redacted] say, "Don't fight them."

Deputy [redacted] told investigators Suspect Briceno would not comply with orders. She saw Deputy Galvez deploy his Taser. The Taser darts hit Suspect Briceno in the jean jacket of his chest. The suspect "swiped" the Taser darts from his chest, and charged



toward Deputy [redacted]. Deputy Galvez deployed a second set of Taser darts at Suspect Briceno. The suspect pulled the Taser darts from his chest, and said, "You don't know who I am." Suspect Briceno charged a couple steps toward Deputy [redacted] She was fearful that the suspect was going to take her to the ground. Deputy [redacted]raised her arm toward the suspect attempting to keep separation from him.

Deputy [redacted] said she saw Deputy Galvez jump on the right side back of Suspect Briceno in a bear hug, to prevent the suspect from contacting Deputy [redacted]. Deputy Galvez and Suspect Briceno fell to the ground. Deputy Galvez' back was on the ground, and Suspect Briceno's back was pressed on top of Deputy Galvez, pressing Deputy Galvez between the floor and the bed. The suspect was swinging his arms and kicking his legs at the deputies. Deputy [redacted] bent over next to the suspect and ordered the suspect to stop fighting and place his hands behind his back. Suspect Briceno did not comply. Deputy [redacted] struck the suspect approximately eight times with her clenched right fist to the suspect's right cheek and jaw area, attempting to free Deputy Galvez from underneath the suspect, and gain control of the suspect's arms. The suspect was not affected by being hit in his face. Deputy [redacted] said the three deputies struggled to turn the suspect onto his back.

Deputy [redacted] told investigators as the deputies were turning Suspect Briceno onto his back, the suspect grabbed hold of Deputy [redacted]s right hand. Deputy [redacted] yelled for the suspect to release his grasp of her hand. Suspect Briceno instead began twisting Deputy [redacted]'s right hand towards himself, attempting to roll Deputy [redacted] onto the ground underneath him. Deputy [redacted] felt pain to her right hand. Deputy [redacted] said she felt she was losing her ability to maintain control of her "gun side," and began to strike the suspect's arm and face with her left clenched fist and elbow allowing her to free herself.

Deputy [redacted] told investigators during the ongoing struggle to gain control of Suspect Briceno, she felt the suspect lifting her and Deputy [redacted] off of the ground as the suspect pushed himself up. Deputy [redacted] entered the bedroom and took a position on the right side of the suspect. Deputy [redacted] moved toward the suspect's legs to gain control. Deputy [redacted] said someone deployed OC spray inside the bedroom. She began having difficulty breathing. She grabbed the suspect's wrist and tried to place it behind his back for handcuffing. Suspect Briceno grabbed hold of Deputy [redacted]s uniform sleeve and chest area of her uniform. The suspect began pulling Deputy [redacted] into him. Deputy [redacted] was able to free herself from the suspect's grasp. At one point, the suspect grabbed hold of Deputy [redacted]'s handcuff. She was able to pry the suspect's fingers from her handcuff and place one handcuff on Suspect Briceno's right wrist. A struggle continued for control of the suspect's left wrist and kicking legs.



Deputy [redacted] told investigators she retrieved Deputy Galvez' Taser from the floor on the west end of the bedroom, and handed it to Deputy Galvez. She saw Deputy Galvez dry stun Suspect Briceno on the right side of his back, over his jean jacket. There was no effect on the suspect. Deputy [redacted] saw bare skin of the suspect's lower back was exposed and told Deputy Galvez to dry stun the suspect's skin. Deputy Galvez deployed his Taser and dry stunned the bare skin of Suspect Briceno's back allowing deputies to eventually gain control of the suspect's left arm, and handcuff him.

Deputy [redacted] told investigators that Suspect Briceno continued to kick his legs at her. She attempted to bear hug the suspect's legs to prevent him from kicking without success. Deputy [redacted] requested a Hobble restraint for the suspect's legs. Deputy [redacted] entered the bedroom and assisted to gain control of the suspect's legs. Suspect Briceno was thrashing Deputy [redacted]s body with his kicking legs. Deputies were eventually able to apply a hobble restraint to the suspect's legs. The leash end of the Hobble restraint was held by a deputy.

Deputy [redacted] said once Suspect Briceno was controlled with handcuffs and a Hobble restraint, she and Deputies Galvez, [redacted], and [redacted] walked out of the bedroom. Deputy [redacted] felt completely exhausted, and felt pain to her right wrist, and her left elbow and knuckles. She said during the struggle with Suspect Briceno she had a couple fingernails ripped off from her fingers. She told investigators that her metal nameplate was also ripped from her uniform shirt by the suspect. Investigators released the metal nameplate with the name '[redacted]' (Evidence Held Item #9), to Deputy [redacted].

Deputy [redacted] said after she exited the suspect's house, she was transported to Beverly Hospital where she was diagnosed with a strained right wrist and forearm, and lacerations to her left knuckle and left palm, and bruising to her left knee. Deputy [redacted] was fitted with a brace to secure her right wrist.

Investigators concluded their interview with Deputy [redacted].

<u>INTERVIEW WITH DEPUTY</u> [redacted]

On March 19, 2020, at approximately 1203 hours, investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy [redacted] inside a conference room of the Association of Los Angeles County Deputy Sheriff's located in the city of Monterey Park. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.



Deputy [redacted] told investigators on March 16, 2020, he was assigned to work the city of Maywood as Unit 28 AM shift. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and he drove a marked black and white Sheriff's patrol vehicle. Deputy [redacted] said he was assigned a call for service to respond to [redacted] 58th Street, Maywood, regarding an elder abuse suspect (Eric Briceno) had returned to the location.

Deputy [redacted] told investigators he arrived to the location in tandem with Deputy Galvez. Deputy [redacted] was coordinated to respond to the rear of the location. Upon his arrival, he and Deputy Galvez, contacted the suspect's [redacted] at the front door. [redacted] told deputies that her [redacted] Suspect Eric Briceno was inside the house using the restroom. A short time later, Deputy [redacted] arrived, and spoke to [redacted]. Deputy [redacted] formulated a tactical plan to contact the suspect.

Deputy [redacted] said Deputy [redacted] made announcements at the front door of the residence. There was no acknowledgement from the suspect. Deputies made entry into the residence, and cleared each room one at a time. Deputy [redacted] said they identified Suspect Briceno inside the open door of the north west bedroom. The suspect was lying on his stomach across the bed. His arms were out to his side like "an airplane." Deputy [redacted] could see the suspect open his eyes and close them, ignoring Deputy [redacted]'s commands to put his hands behind his back, and exit the bedroom to talk.

Deputy [redacted] entered the bedroom and took a position on the south side of the bed. Deputy [redacted] took a position along the east wall, and Deputy Galvez took a position on the west end of the room near the suspect's feet. Deputy [redacted] ordered Suspect Briceno to place his hands behind his back. The suspect put his right hand near his back. Deputy [redacted] removed his handcuffs, and reached for the suspect's right wrist. Suspect Eric Briceno pulled his wrist away from Deputy [redacted]'s grasp with force, and "horse kicked" Deputy Galvez in the stomach, knocking him backwards.

Deputy Galvez repositioned himself next to Deputy [redacted] with Deputy [redacted] standing behind them. Suspect Eric Briceno jumped up from the bed, and took a fighting stance; feet shoulder width apart, with his torso bladed toward the deputies, and his arms bent up to his front. Deputy [redacted] estimated the suspect to be 6'02" and weighed approximately 300 pounds. Deputy Galvez said he was going to tase the suspect. Suspect Briceno continued his aggressive stance. Deputy Galvez deployed his Taser at Suspect Briceno, striking the suspect in the chest with the Taser darts. The suspect swiped the Taser darts away from his chest area. Deputy Galvez deployed his Taser a second time striking the suspect in the chest area. Suspect Briceno grabbed hold of the



Taser dart wires and pulled the Taser darts from his chest. The Taser appeared to have no effect on the suspect.

Deputy [redacted] told investigators that Suspect Briceno would not comply with any commands from the deputies and appeared fixated on Deputy [redacted] Deputy [redacted] said he was fearful the suspect was going to continue his assault upon the deputies. Suspect Briceno stated, "You don't know me." The suspect then lunged toward Deputy [redacted], splitting between Deputy Galvez and Deputy [redacted]. Deputy Galvez used his arms to grab hold of the suspect's upper body in a bear hug type motion. Deputy Galvez and Suspect Briceno fell to the ground. Deputy Galvez was on his back on the ground, and Suspect Eric Briceno was on top of Deputy Galvez with his back pressed against Deputy Galvez' chest.

Deputy [redacted] said he reached down to grab hold of the suspect's arms without success. During the struggle, the deputies attempted to turn the suspect onto his stomach. After some time, the deputies turned the suspect onto his stomach. Deputies commanded the suspect to put his hands behind his back. The suspect did not comply. Deputy [redacted] heard Deputy [redacted] say, "He's got my arm!" Deputy [redacted] could see Suspect Briceno had a grasp of Deputy [redacted] and appeared to be trying to pull Deputy [redacted] underneath him, and possibly grab her firearm. Deputy [redacted] released his grasp of the suspect's left arm and grabbed the suspect's right arm in an attempt to free Deputy [redacted]. Deputy [redacted] was unable to free Deputy [redacted] from the suspect. Deputy [redacted] punched the suspect approximately six times with his clenched right fist to the suspect's face. Deputy [redacted] immediately felt a sharp pain to his right hand.

Deputy [redacted] said he saw Deputy Galvez utilize his Taser to dry stun Suspect Briceno. He believed that had an effect on the suspect due to the suspect releasing his grasp of Deputy [redacted]. The deputies continued to struggle gaining control of the suspect. Suspect Eric Briceno stated, "Just shoot me!" Deputy [redacted] said Deputy [redacted] entered the bedroom and began punching the suspect's back. Deputy [redacted] deployed OC spray to the suspect's face. Deputy [redacted] was able to place a handcuff on the suspect's left wrist. However, Suspect Briceno continued to fight the deputies, pushing himself up from the ground, trying to get up, with the deputies on top of him. Deputy [redacted] stated, He's got my shirt!" Deputy [redacted] pulled Deputy [redacted]'s arm from the suspect's grasp.

Deputy [redacted] said he saw Deputy Galvez deploy his Taser, and dry stun Suspect Briceno on the bare skin of his lower back. Deputy [redacted] explained he believed the Taser was effective for a very brief moment when applied to the suspect's bare skin. When Suspect Briceno was dry stunned, Deputy [redacted] was able to bring the suspect's hands closer to being handcuffed. Deputy [redacted] said he was able to handcuff the



suspect behind his back with two sets of handcuffs. Deputy [redacted] heard a deputy request fire personnel to respond to the location to triage the suspect. At that time, Suspect Briceno began kicking his legs and thrashing his body. Deputy [redacted] entered the bedroom and a Hobble restraint was applied to the suspects' kicking legs.

Deputy [redacted] told investigators when Suspect Briceno was restrained, he left the bedroom. He said he felt completely exhausted, and he felt immense pain to his right hand. Deputy [redacted] was ultimately transported to Beverly Hospital for his injuries where he was diagnosed with a fractured bone in his right hand. Deputy [redacted] was fitted for a brace on his right wrist.

Investigators concluded their interview with Deputy [redacted]

INTERVIEW WITH DEPUTY [redacted]

On March 19, 2020, at approximately 1245 hours, investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy [redacted] inside a conference room of the Association of Los Angeles County Deputy Sheriff's located in the city of Monterey Park. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy [redacted] told investigators on March 16, 2020, he was assigned to work the city of Cudahy as Unit 26 PM shift. He was wearing a tan and green Sheriff's Class A long sleeve uniform with chest badge, name plate, and patches with his Sam Brown gun belt, and department issued OC spray. He drove a marked black and white Sheriff's patrol vehicle. Deputy [redacted] said he assigned himself to assist a call for service to respond to [redacted] 58th Street, Maywood, regarding an elder abuse suspect (Eric Briceno) had returned to the location.

Deputy [redacted] told investigators he arrived at the location, and took up a position one street north as requested by the handling unit, Deputy [redacted]. While he was positioned at the rear of the location, he heard radio traffic from Deputy [redacted] advising deputies were involved in a fight at the rear of the location. Deputy [redacted] reacted to the emergent traffic of deputies fighting and ran into the residence.

Deputy [redacted] said upon entering the residence he heard a struggle coming from the northwest bedroom. He ran into that bedroom and saw Suspect Briceno lying on the floor on his stomach with his head toward the bedroom door. He saw the deputies were attempting to handcuff the suspect. The deputies inside the bedroom appeared exhausted. He noticed the suspect was clenching his arms underneath his stomach



pushing himself up from the ground, and kicking his legs. Deputy [redacted] took a position on the suspect's right side, and attempted to pull the suspect's right arm out from underneath him without success.

Deputy [redacted] said he used his six inch flashlight in his right hand to "hammer fist" Suspect Briceno approximately three times on his lower right back in an attempt to weaken the suspect's right arm. The hammer strikes were unsuccessful. Deputy [redacted] told the suspect to place his hands behind his back or he would be OC sprayed. Suspect Briceno refused to comply. Deputy [redacted] deployed OC spray to the suspect's face. Deputy [redacted] said the OC spray appeared to have no effect on the suspect. However, The OC spray effected himself and the other deputies breathing. Deputy [redacted] continued struggling to gain control of the suspects' right arm. Deputy [redacted] said he used both of his clenched fists to strike the suspect in his lower left back with no success.

Deputy [redacted] said he saw Deputy Galvez deploy his Taser and dry stun Suspect Briceno approximately four times to the lower back area. Deputies were able to place a handcuff on the right wrist of the suspect. Deputy [redacted] cuffed a second pair of handcuffs together to extend the length of the handcuffs. Suspect Briceno continued fighting. Deputies were able to handcuff Suspect Briceno's left hand.

Additional deputy personnel entered the bedroom, and assisted placing a Hobble Restraint onto Suspect Eric Briceno's kicking legs. Deputy [redacted] was relieved by an assisting deputy, and he left the bedroom. He said he was completely exhausted as a result of the struggle with Suspect Briceno. Deputy [redacted] estimated the suspect to weigh approximately 300 pounds.

Deputy [redacted] told investigators he lost his flashlight inside the bedroom during the struggle with Suspect Eric Briceno. Investigators released a Streamlight LED flashlight (Evidence Held Item #10), to Deputy [redacted].

Deputy [redacted] told investigators during the struggle with Suspect Briceno he sustained a cut to his left hand and possibly blood transfer from the suspect. He was ultimately transported to Beverly hospital where he was treated for his injuries.

Investigators concluded their interview with Deputy [redacted]

POST MORTEM EXAMINATION:

On March 20, 2020, at approximately 0915 hours, Investigator Blagg attended the postmortem examination conducted on the remains of Suspect Eric Briceno by Doctor Carrillo at the Los Angeles County Medical Examiner's Office.



Investigator Blagg observed that Suspect Briceno had several facial lacerations along with bruising and swelling around his right eye. There was a puncture wound, possibly from a Taser probe, on the right side of the suspect's middle back. Investigator Blagg observed several marks, presumably associated with dry stun use of the Taser, on the suspect's upper and lower back. Doctor Carrillo noted that the suspect had trauma to his throat and petechial hemorrhaging to both eyes.

At the conclusion of the examination, Doctor Carrillo deferred his findings as to the cause of death pending the results of toxicology and neuropathology. Once completed, Doctor Carrillo will prepare an autopsy report to document his actions and observations. Once completed, a copy of this report will be made a permanent part of the investigative file.

2nd INTERVIEW WITH DEPUTY DANNY GALVEZ FOR CLARIFICATION:

On March 26, 2020, at approximately 1140 hours, Investigators Hatch and Blagg interviewed Los Angeles County Sheriff's Deputy Danny Galvez inside at Sheriff's Homicide Bureau in the city of Monterey Park. Ken Yuwiler, Attorney, from the law offices of Rains Lucia Stern St Phalle & Silver was present during the interview. The interview was digitally recorded and the following is a summary of the interview.

Deputy Galvez told investigators a more detailed account of his initial contact and take down of Suspect Eric Briceno that occurred on March 16, 2020. Deputy Galvez said he remembered grabbing the suspect near his upper shoulders when he jumped onto the suspect's back area. He said the suspect had very broad shoulders, and he had difficulty wrapping his arms around the suspect. As soon as Deputy Galvez grabbed hold of the suspect, approximately one second later, they both fell to the ground.

Deputy Galvez emphasized when he landed on the ground, and the suspect landed on top of him, he had the wind knocked out of him. Deputy Galvez struggled to maintain any control of the suspect to prevent him from standing up, as he himself struggled to regain his breath. Deputy Galvez feared the suspect could overcome him and his partners due to the suspect's size and strength. He believed his life and his partner's lives could be endangered by the suspect. He added the suspect had not been searched for any weapons at the time, and he was cognizant to maintain control of his own weapons during the struggle to gain control of the suspect. Deputy Galvez grabbed the suspect anywhere he could to prevent the suspect from standing up and overtaking him. He said he was not intentionally trying to harm Suspect Briceno, he just wanted to gain control of him during the struggle.

Deputy Galvez told investigators that Suspect Briceno never stopped resisting and never complied with the deputies. As the suspect violently thrashed and flailed his



arms, he continually thrashed his head and torso. Deputy Galvez kept losing his grip of the suspect, and re-engaging with different moving parts of the suspect's body to gain control. Deputy Galvez believed the only time his hands may have come into contact with the suspect's head and neck area, other than when he was punching the suspect in the face, was during the fall to the ground.

Investigators concluded their interview with Deputy Danny Galvez.

SUBMITTED BY: **DETECTIVE EUGENE HATCH #**[redacted]
DETECTIVE STEVE BLAGG #[redacted]
APPROVED BY: **LIEUTENANT BRANDON DEAN #**[redacted]
ASSIGNED: **HOMICIDE BUREAU**